

Appn. No.: 09/474,909
Amdt. Dated August 19, 2005
Reply to Office Action dated December 28, 1999

Remarks/Arguments

Claims 1-3 are currently pending in the application. No changes have been made to the claims by way of this response.

Claims 1-3 stand rejected under 35 U.S.C. 103(a) as being unpatentable over alleged Admitted Prior Art (AAPA) in view of Sansone (U.S. Patent No. 5,257,196). This rejection is respectfully traversed for the reasons set forth below.

The instant invention is directed toward a method for improving the accuracy for determining mailroom chargeback cost for addressees using an incoming mail sorting apparatus. As explained in the background of the invention, there are costs associated with running a mailroom within an organization. The costs of running that mailroom are typically divided between separate cost centers based on some type of cost allocation formula which is not necessarily related to the actual use of the mailroom. The instant invention provides a mechanism for allocating costs to addressees of incoming mail based on the type and quantity of the incoming mail forwarded to that addressee. While the background of the invention discusses how postage costs for outgoing mail can be allocated to different cost centers based on the types of service and quantities of mail associated with that cost center, there is a fundamental difference when addressing incoming mail. In the outgoing situation the mailer is creating the mailpieces and knows where to allocate the postage costs. In the incoming situation, information must be obtained from the incoming mailpieces themselves and associated with addressee information in an addressee database in order to calculate incoming costs for that particular addressee with respect to the handling of incoming mailpieces.

The Examiner has cited Sansone for allegedly teaching elements d) and e) of claim 1. Applicants submit that such is not the case. Sansone is directed to a system for calculating the total cost for a batch of mail being submitted to a post for delivery by a single mailer. Thus, Sansone is directed to postage cost allocation for outgoing mail. There is no teaching or suggestion in Sansone concerning storing a piece count and type of mailpiece data in

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association with a database of addressees or calculating incoming sorting cost information for a particular addressee based on the stored piece and mail type information for the particular addressee and a predetermined unit price for each mailpiece type. Sansone isn't even concerned about calculating cost allocations for individual addressees. Sansone simply calculates total postage costs for different classes of mail while taking into account discounts for certain types of pre-sorted mail or for non-preserved mail having zip plus 4 data printed thereon. Even the Examiner's statement that Sansone teaches calculating postage based on location is not correct. The zip code reference in Figure 5 simply means that certain discounts are given if mailpieces include zip plus 4 information. The location associated with any particular zip plus 4 location is not relevant to the calculation. What is important to the post is that the zip plus 4 is printed on the mailpiece because it makes the post's sorting efforts subject to automation thereby improving efficiency. That is why the post gives a discount.

The bottom line is that Sansone does not teach or suggest calculating incoming sorting costs for individual addressees as claimed or the method for accomplishing such calculation using the addressee database that associates mailpiece type and piece count of mailpiece type for each addressee in the database.

In view of the above, it is submitted that the examiner has not established a prima facie case of obviousness for claim 1 as well as claims 2-3 which depend therefrom.

Claims 2-3 stand rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Sansone and further in view of PEOPLES "Article 7/1998 ...". In as much as PEOPLES does not correct the deficiencies of AAPA and Sansone as discussed above for claim 1, it is submitted that claims 2-3 are patentable in view of the combination of AAPA, Sansone, and PEOPLES.

Claims 1-3 stand rejected under 35 U.S.C. 103(a) in view of Gottlieb (U.S. patent no. 6,283,304) and Sansone. In view of the fact that Gottlieb is only being cited for allegedly teaching the same thing as the AAPA reference, it is submitted that the arguments set forth

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above with respect to claim 1 concerning the Sansone reference are equally applicable for this rejection.

Claims 2-3 stand rejected under 35 U.S.C. 103(a) in view of Gottlieb (U.S. patent no. 6,283,304), Sansone and PEOPLES. In view of the fact that Gottlieb is only being cited for allegedly teaching the same thing as the AAPA reference, it is submitted that the arguments set forth above regarding claims 2-3 are equally applicable to this rejection as well.

It is submitted that the application stands in condition for allowance. Reconsideration of the rejections is respectfully requested and an early notice of allowance earnestly solicited. If the examiner has any questions please contact the undersigned at the number below.

Respectfully submitted,



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